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- 11 -

REMARKS

Claims 1 to 42 are pending. No claims are allowed. Claims 2 and 12 to 28 are canceled and claims 29 to 41 are new.

1. Claims 4, 5 and 8 are rejected under 35 USC 112, second paragraph. The indefinite language noted in these claims by the Examiner has been amended.

2. Claims 1 and 6 to 11 are rejected under 35 USC 102(e) as anticipated by or, in the alternative, under 35 USC 103(a) as obvious over Gan (U.S. Patent No. 6,551,747). The teachings of the cited Gan patent are essentially as set forth by the Examiner. However, independent claim 1 has been amended to include the subject matter of canceled claim 2. This dependent claim is indicated to be allowable if rewritten in independent form.

Accordingly, amended independent claim 1 is believed to be patentable over Gan, and claims 6 to 11 are allowable as hinging from a patentable base claim.

Reconsideration of this rejection is requested.

3. Claims 1 and 6 to 10 are rejected under 35 USC 102(e) as anticipated by or, in the alternative, under 35 USC 103(a) as obvious over Gan et al. (2002/0090551) or Gan et al. (2002/0098411). The teachings of the cited Gan et al. publications are essentially as set forth by the Examiner. However, as discussed above, claim 1 has been amended to include the subject matter of canceled claim 2. The subject matter of claim 2 has been indicated to be allowable.

04645.0843

- 12 -

Accordingly, amended independent claim 1 is believed to be patentable over the cited Gan et al. publications. Claims 6 to 11 are allowable as hinging from a patentable base claim.

Reconsideration of this rejection is requested.

4. Claims 1 and 3 are rejected under 35 USC 102(b) as anticipated by or, in the alternative, under 35 USC 103(a) as obvious over Bai et al. (U.S. Patent No. 5,744,258). The teachings of the Bai et al. patent are essentially as set forth by the Examiner. However, independent claim 1 has been amended to include the subject matter of canceled claim 2. Accordingly, amended independent claim 1 is believed to be patentable over Bai et al. Claim 3 is allowable as hinging from a patentable base claim.

Reconsideration of this rejection is requested.

5. Claim 2 is objected to. As discussed above, this subject matter has been written into amended independent claim 1, which is now believed to be allowable over the prior art of record.

6. New independent claim 29 is directed to an electrode characterized as formed by a process similar to that set forth in amended independent claim 1. Claim 32 depends from claim 29 and is directed to positioning a third electrode active material on top of the electrode of claim 29. Then, a second electrode similar to that of the electrode of claim 29 is positioned on top of the third electrode active material. This entire electrode assembly is pressed together to form an electrode.

04645.0843

- 13 -

New claim 34 is similar to the combined subject matter of new claims 29 and 32, and additionally sets forth incorporation of the electrode into an electrochemical cell.

It is believed that claims 1, 3 to 11 and 29 to 42 are now in condition for allowance. Notice of Allowance is requested.

Respectfully submitted,



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